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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,568	03/28/2005	Frank J Viola	2862 (203-3506)	9151
50855	7590	05/19/2009		
Tyco Healthcare Group LP 60 MIDDLETOWN AVENUE NORTH HAVEN, CT 06473			EXAMINER LOPEZ, MICHELLE	
			ART UNIT 3721	PAPER NUMBER
			MAIL DATE 05/19/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte: FRANK J. VIOLA

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Appeal No. 2009-2711 (2009-010154)  
Application No. 10/529568  
Technology Center 3700

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Mailed: May 18, 2009

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Before KRISTA ZELE *Deputy Chief Appeals Administrator*

ZELE, *Deputy Chief Appeals Administrator.*

ORDER VACATING DOCKETING NOTICE

This application was electronically received at the Board of Patent Appeals and Interferences on March 31, 2008. A Docketing Notice was mailed on May 18, 2009, with Appeal No. 2009-010154.

However, an earlier-filed Docketing Notice with Appeal No. 20092711 was mailed on December 24, 2008 prior to the subsequent mailed Docketing Notice. The Docketing Notice for this application assigned Appeal No. 2009010154 is hereby vacated. Accordingly, the Docketing Notice mailed December 24, 2008 remains in force; with Appeal No. 20092711 remaining as the appeal number

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assigned to this application. We regret any confusion caused by the inadvertent mailing of the subsequent Docketing Notice.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

*KZ/mev*

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